

REMARKS

Claims 1-20 are pending of which claims 1, 8, 15 and 19 are independent. In this Amendment, claims 6-7, 12-13 and 17-18 have been canceled. Claims 1, 8, 15 and 19 have been amended to clarify an aspect of the invention. Support is found in, for example, page 16, line 24- page 17, line 2. Care has been exercised not to introduce new matter.

Rejections of Claims Under 35 U.S.C. § 103

Claims 1-7 and 15-18 were rejected under 35 U.S.C. § 103(a) as being unpatentable over Inoue et al. (U.S. Patent No. 5,344,498, hereinafter "Inoue") in view of Neerincx et al. (D.G. Neerincx and T.J. Vink, Thin Solid Films 278 (1996) 12-17, hereinafter "Neerincx"). Claims 8-14, 19 and 20 were rejected under 35 U.S.C. § 103 (a) as being unpatentable over Nakamura et al. (U.S. Patent No. 7,030,413, hereinafter "Nakamura") in view of Vink et al. (T.J. Vink, W. Walrave, J.L.C. Daams, P.C. Baarslag, J.E.A.M. van den Meerakker, Thin Solid Films 266 (1995) 145-151, hereinafter "Vink").

Amended claim 1 recites, in pertinent part, "said indium oxide layer contains Sn, and the content of Sn with respect to In in said indium oxide layer is at least about 2 percent by weight and not more than about 7 percent by weight." Cited references fail to disclose the above limitations.

Neerincx on which the Examiner relies to teach the proportion of Sn to In only discloses that the composition of SnO₂ and In₂O₃ is 10 wt.% and 90wt.%. Thus, the content of Sn with respect to In is 10/90, i.e. 11.1%. This is not in the range of the proportion of Sn's content with respect to In's content, i.e. 2 % ~7%, claimed in claim 1.

In addition, Inoue, Nakamura and Vink does not disclose composition of Sn and In.

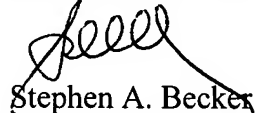
Accordingly, as each and every limitation must be disclosed or suggested by the cited prior art references in order to establish a *prima facie* case of obviousness (*see*, M.P.E.P. § 2143.03) and for at least the foregoing reasons the combination of Neerinck, Inoue, Nakamura and Vink fails to do so, it is respectfully submitted that claim 1 and the claims dependent thereon are patentable over the combination of Neerinck, Inoue, Nakamura and Vink.

Further, it is noted that claims 8, 15 and 19 recite similar elements as claim 1 discussed above, and therefore claims 8, 15 and 19 and the claims dependent thereon are also patentable over the combination of Neerinck, Inoue, Nakamura and Vink.

To the extent necessary, a petition for an extension of time under 37 C.F.R. 1.136 is hereby made. Please charge any shortage in fees due in connection with the filing of this paper, including extension of time fees, to Deposit Account 500417 and please credit any excess fees to such deposit account.

Respectfully submitted,

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